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Attorneys for Defendant,

INGERSOLL-RAND COMPANY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE TOY ASBESTOS LITIGATION

CASE NO. 4:19-cv-00325-HSG

(Lead Case)

Related: 4:19-cv-00326-HSG and 4:19-cv-00336-HSG

**DECLARATION OF KEVIN E.
DEENIHAN IN SUPPORT OF
INGERSOLL-RAND COMPANY'S
MOTION TO STRIKE PLAINTIFF
EXPERT DR. BRENT STAGGS, HIS
OPINIONS AND REPORTS, AND ANY
RELIANCE THEREON**

Date: May 21, 2020

Time: 2:00 p.m.

Courtroom: 2

Judge: Hon. Haywood S. Gilliam, Jr.

Complaint Filed: December 14, 2018

Trial Date: July 27, 2020

DECLARATION OF KEVIN E. DEENIHAN

I, KEVIN E. DEENIHAN, declare:

I am an attorney, duly licensed to practice law in all the courts of the State of California, and am an partner with the law firm of THE RASMUSSEN LAW FIRM LLP, attorneys of record for defendant, Ingersoll-Rand Company (hereinafter “Ingersoll-Rand”). As such, I have personal knowledge of the files and pleadings in this matter, as well as the facts stated below. If called upon as a witness, I could and would competently testify as follows:

1. Attached herewith is a true and correct copy of a February 10, 2020, email and confirming correspondence regarding the stipulation to serve Dr. Victor Roggli's report on February 27, 2020, as Exhibit “A.”

2. Attached herewith is a true and correct copy of the transcript of plaintiffs' expert, Dr. Carl Brodtkin, taken on March 6, 2020, as Exhibit “B.”

3. Attached herewith is a true and correct copy of a Dr. Brent Staggs' report dated June 2019 and January 3, 2020, marked respectively as Exhibit “C-1” and “C-2”.

4. Ingersoll-Rand accepted the deposition of Dr. Brodtkin and I took lead for the defense at his deposition. At the deposition, Dr. Brodtkin testified that he reviewed a report from Dr. Staggs and relied on him for some of his opinions. On behalf of Ingersoll-Rand, I noted that Ingersoll-Rand had not previously received the report and requested a copy of the Staggs Report from plaintiff counsel.

5. Attached herewith is a true and correct copy of the stipulation dated March 25, 2020, as Exhibit “D.”

6. Attached herewith is a true and correct copy of a Dr. Brent Staggs' March 25, 2020 proposed rebuttal report, as Exhibit “E.”

7. Attached herewith is a true and correct copy of a correspondence dated March 25, 2020 regarding further meet and confer on the issue of Dr. Staggs'

1 proposed rebuttal report, as Exhibit "F."

2 8. Attached herewith is a true and correct copy of Ingersoll-Rand's
3 discovery letter brief dated April 2, 2020, as Exhibit "G."

4 9. Attached herewith is a true and correct copy of plaintiffs' Wrongful
5 Death Complaint, as Exhibit "H."

6 I declare under penalty of perjury under the laws of the United States of America
7 that the foregoing is true and correct, and that this declaration is executed on April 16,
8 2020, in Torrance, California.

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11 KEVIN E. DEENIHAN
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